



DPW

Theresa Ann Pitocco  
303 N. Lehigh Rd.  
Glassboro, NJ 08028  
(856) 863-1620

**May 24, 2006**

**Mr. Miska  
USPTO  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

**Dear Mr. Miska,**

**Enclosed please find the revised completed submission for patent application 10/796,916.**

**Hopefully, I have followed your directions precisely and have submitted it correctly. If, however, I am still in error, please contact me, so that I may rectify the problem.**

**I am most grateful for all of your help throughout this process. I certainly could not have gotten this far without your patience and guidance.**

**I remain,**

**Sincerely,**  
*Theresa Ann Pitocco*  
**Theresa Ann Pitocco**

**BEST AVAILABLE COPY**



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,916	07/02/2004	Theresa Ann Pitocco		1759
7590	05/01/2006		EXAMINER	
THERESA ANN PITOCO 303 North Lehigh Road Glassboro, NJ 08028			MISKA, VIT W	
			ART UNIT	PAPER NUMBER
			2841	

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

161796-916



UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT      PAPER

041906

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents



Notice of Non-Responsive Amendment

The reply filed on 9/26/2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

The substitute specification filed on 9/26/2005 has not been entered because it does not conform to 37 CFR 1.125(b) and (c) and 37 CFR 1.111 because: the new specification does not correspond to the specification as originally filed on 7/2/2004. In addition, the drawings submitted on 9/26/2005 do not correspond to the original drawings of 7/2/2004. Further, the claims submitted are based on the new specification and drawings and thus, along with the drawing and specification, constitute new matter under 35 USC 132.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vit W. Miska whose telephone number is 571-272-2108. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, K. Cuneo can be reached on 571-272-1957. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VM  
4/19/2006



V. Miska  
Primary Examiner

Ms. Pitocco,



I have some suggested changes to the claims, specification and drawings to make these conform to the

Requirements of the patent regulations. I have summarized these in order:

1. The original application papers you filed on 3/9/2004 were deemed "Incomplete" because of missing parts.

The PTO sent you a request to complete these papers. You responded on 7/2/2004 with changes to specification, drawing, abstract and claims.

The PTO then accorded the application the filing date of 7/2/2004. The amended specification, drawings and other application disclosure papers you filed on 7/2/2004 thus are now considered

the original disclosure details of the invention. This means that you may not add anything "new" to the disclosure after that date (7/2/2004). Anything "new" includes anything that was not disclosed on 7/2/2004 in your response.

Consequently, the additional changes you submitted on 9/26/2005 to the specification, drawings and claims cannot be entered because they include significant "new" material, for example the additional watch faces 8,9,10,11 or the structure in Fig. 2, which are not discussed in your original papers filed 7/2/2004.

2. Therefore, you will have to work from the papers you filed on 7/2/2004. These only need to be rearranged in the proper format, i.e. with headings : Background of the Invention, Summary of the Invention, Brief Description of the Drawings, Detailed Description of the Invention, and Claims. Simply rearrange the various paragraphs you have

under the proper headings. (Remember, you may not add anything "new" that was not previously disclosed).

Make sure you just copy the original paragraphs verbatim, this will make it easier to determine if there is new material or not.

3. The PTO require to follow a specific format when presenting a new specification. I have attached a copy of

37 CFR 1.125 which you must follow when amending a specification. Some point to remember are:

any text added is underlined, any text deleted is done by a strike through.

Since you will have essentially the entire specification rearranged, I suggest you take the original specification papers of 7/2/2004 and strike through all the text, and submit this, then submit your rewritten specification with everything underlined. The final requirement is to file a separate "clean copy" of the new specification.

4. If you prefer, and if you still have all the papers you filed on 7/2/2004 in MS WORD format, you can attach

these files and send me an e-mail and I will rearrange the specification to the proper format and send it back to you for review. This way we will be sure there is no "new" material added.

5. I am attaching 8 claims which I am willing to allow. You may use these as your claims, or make changes.

6. The drawing submitted on 7/2/2004 must be used. The drawing requirements such that you must delete any extraneous matter on the drawings. Therefore, the six sheets of drawing you submitted on 7/2/2004 can be used, but with some changes.

Each of the 10 figures are labeled as Fig. 1, Fig. 2, etc. (These are already labeled correctly, except keep all the characters and style the same.) Also, place these at the same area in each figure (i.e. under or above the figure).

Delete any text that is not a label of a part of the items in the Figure. For example, delete "Mediwatch" , "Page 1" "Utility Patent" and your name and address on each sheet of the drawing.

Make sure there is a header of about 2 inches at the top of each sheet. These and the other requirements mentioned above are the PTO rules and I cannot waive them.

(you can find drawing regulations (and any other patent rules) on the USPTO website <http://www.uspto.gov>.

7. You may e mail me with questions as you do these revisions to make sure we do it correctly and avoid unnecessary additional work for you.

Sincerely,

V. Miska  
571-272-2108  
[vit.miska@uspto.gov](mailto:vit.miska@uspto.gov)